



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/617,920	07/17/2000	Masayuki Takahira	Q58735	8339

7590 07/28/2004

SUGHRUE, MION, ZINN, MACPEAK & SEAS  
2100 Pennsylvania Avenue, N.W.  
Washington, DC 20037

EXAMINER
----------

WU, JINGGE

ART UNIT	PAPER NUMBER
----------	--------------

2623

DATE MAILED: 07/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Best Available Copy

**Advisory Action**

Application No.

09/617,920

Applicant(s)

TAKAHIRA, MASAYUKI

Examiner

Jingge Wu

Art Unit

2623

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED on 6/14/2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

**PERIOD FOR REPLY** [check either a) or b)]

- a) ☒ The period for reply expires 5 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on \_\_\_\_\_. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☒ The proposed amendment(s) will not be entered because:
- (a) ☒ they raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ they raise the issue of new matter (see Note below);
- (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: the new claims raise new issues that need to be searched.

3. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.
4. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☐ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: 1-15 and 34.

Claim(s) objected to: 16-18,27-33,35 and 36.

Claim(s) rejected: 37-39.

Claim(s) withdrawn from consideration: \_\_\_\_\_.

8. ☐ The drawing correction filed on \_\_\_\_\_ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_.
10. ☐ Other: \_\_\_\_\_

Best Available Copy

Continuation of 5. does NOT place the application in condition for allowance because: Regarding to claim 16, Ito clearly show that a edge shape of monitor gamut is corrected in the  $L^*a^*b^*$  space by the gamut matching (fig. 14-16, col. 1 line 61-col. 2 line 29), and then corrected color transformed into the reproducing color space (note that in Ito'383, fig. 15-16 show how the gamuts are compressed and thus, change the shape of the edge). Thus, Ito is properly used for the 102 rejection. Regarding to claim 18, first, the fig 15-16 show that the compression of color reproducing space (gamut). Second, the mapping inherently means the adjusting the parameters and in Fig 7, the details of adjusting parameters are given. Thus, the rejection of claim 18 is proper. Regarding to claims 35-36, the gamut mapping not only change the parameter of color reproducing gamut but also the shape and edge of the gamut (see figs 14-16). Regarding to claim 17, again, the correcting non-linear portion of a printer gamut by gamut mapping is inherent because the edge of the printer gamut is of non-linear shape and Hoshino teaches using linear function to map the gamut. Regarding claim 28, Hoshino teaches the gamut of CRT where the parameter smaller than that of Printer would be compressed to fit the gamut of Printer and the gamut of Printer where the parameter larger than the gamut of CRT would be compressed to fit the gamut of CRT in order to print a hard copy the same color as that of the soft copy. the argument of other dependent claims are addressed with regard to the argument of above claims.

Best Available Copy